



2026:KER:55594

CRL.MC NO. 977 OF 2026

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE JOBIN SEBASTIAN

THURSDAY, THE 23RD DAY OF JULY 2026 / 1ST SRAVANA, 1948CRL.MC NO. 977 OF 2026

CRIME NO.31/2025 OF ERNAKULAM CENTRAL POLICE STATION,

ERNAKULAM

AGAINST THE ORDER/JUDGMENT IN SC NO.1154 OF 2025 OF
ADDITIONAL DISTRICT COURT & SESSIONS COURT (VIOLENCE
AGAINST WOMEN & CHILDREN) , ERNAKULAM

PETITIONER/ACCUSED:

C.D. BOBY @DR. BOBY CHEMMANUR
AGED 60 YEARS
S/O. C.I. DEVASYKUTTY,
CHEMMANUR HOUSE, AVENUE ROAD,
THRISSUR DISTRICT,
KERALA, PIN - 680005

BY ADV SHRI.M.R.DHANIL

RESPONDENTS/STATE AND DE FACTO COMPLAINANT:

- 1 STATE OF KERALA
REPRESENTED BY THE STATION HOUSE OFFICER,
CENTRAL POLICE STATION,
ERNAKULAM,
THROUGH ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, PIN - 682031
- 2 XXXXXXXXXXXX
XXXXXXXXXXXX XXXXXXXXXXXX



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BY ADVS.
SHRI.ZAKEER HUSSAIN
SMT.K.A.SANJEETHA
SHRI.LOVEWIN VINU
PP SRI. V.R. RAMLAL

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 23.07.2026, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:



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ORDER

This petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS") by the sole accused in Crime No.31/2025 of Ernakulam Central Police Station, registered alleging commission of offences punishable under Sections 75(1)(i), 75(1)(iv) and 78 of the Bharatiya Nyaya Sanhita, 2023, and Section 67 of the Information Technology Act, 2000, now pending as S.C.No.1154 of 2025 on the file of the Additional Sessions Court (for the trial of cases relating to Atrocities and Sexual Violence against Women and Children), Ernakulam.

2. The learned counsel for the petitioner submitted that the disputes between the petitioner and the de facto complainant have been amicably settled out of court. It is further submitted that the parties have resolved all their disputes and grievances and have mutually agreed not to proceed further with the criminal proceedings and hence, the petitioner seeks to quash the FIR, Final Report and all further proceedings in the said case.

3. The de facto complainant has filed an affidavit affirming that the



matter has been amicably settled and that she has no objection in quashing the proceedings against the petitioner. In the affidavit, it is further stated that the petitioner publicly acknowledged the consequences of his statements and tendered an unconditional apology, and that she has no further grievances against the petitioner and hence, she does not want to proceed with the case any further.

4. The learned Public Prosecutor, upon instructions from the Investigating Officer, submitted that the dispute between the parties has been settled and that the de facto complainant is no longer interested in continuing the prosecution against the petitioner.

5. Having considered the nature of the allegations, the affidavit filed by the de facto complainant and the submission made by the learned Public Prosecutor, this Court is satisfied that the dispute involved in the present case has been amicably resolved between the parties. In the peculiar facts and circumstances of the case, and considering that the possibility of securing a conviction has become remote in view of the stand taken by the de facto complainant, the continuation of the criminal proceedings would serve no useful purpose and would only amount to an abuse of the process of law.



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In the result, this petition is allowed. Annexure A1 FIR, Annexure A2 Final Report in Crime No. 31/2025 of Ernakulam Central Police Station and all further proceedings in S.C.No.1154 of 2025 on the file of the Additional Sessions Court (for the trial of cases relating to Atrocities and Sexual Violence against Women and Children), Ernakulam, as against the petitioner/accused are hereby quashed in exercise of the powers conferred under Section 528 of the BNSS, 2023.

Sd/-**JOBIN SEBASTIAN
JUDGE**

SPV